उत्तर प्रदेश शासन
कार्मिक अनुभाग–2
संख्या–6/12/73/का–2टी.सी.।V
लखनऊ, दिनांक : 22 जनवरी, 2014

उत्तर प्रदेश सेवाकाल में मृत सरकारी सेवकों के आश्रितों की भर्ती (ग्यारहवॉ संशोधन) नियमावली, 2014 (अंग्रेजी रूपान्तर सहित) की संलग्न प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :–

1–समस्त प्रमुख सचिव/ सचिव, उत्तर प्रदेश शासन।
2–समस्त मण्डलायुक्त/ जिलाधिकारी, उत्तर प्रदेश।
3–समस्त विभागाध्यक्ष/ प्रमुख कार्यालयाध्यक्ष, उत्तर प्रदेश।
4–प्रमुख सचिव, श्री राज्यपाल महोदय, उत्तर प्रदेश।
5–प्रमुख सचिव, विधान सभा/ विधान परिषद्, उत्तर प्रदेश।
6–सचिव, लोक सेवा आयोग, उत्तर प्रदेश, इलाहाबाद।
7–सचिव, राजस्व परिषद्, उत्तर प्रदेश, लखनऊ।
8–सचिवालय के समस्त अनुभाग।
9–वेब अधिकारी/वेब मास्टर, नियुक्ति विभाग, उत्तर प्रदेश शासन।
10–गार्ड फाइल ।

आज्ञा से,

(एस.पी.सिंह)
विशेष कार्याधिकारी।

क्रम संख्या–24

रजिस्ट्रेशन नम्बर–एस०एस०पी०/एल०–
डब्लू०/एन०पी०–91/2011–13
लाइसेन्स टू पोस्ट ऐट कन्सेशनल रेट

सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट

भाग–4, खण्ड (क)

(सामान्य परिनियम नियम)

लखनऊ, बुधवार 22 जनवरी, 2014

माघ 2, 1935 शक सम्वत्

उत्तर प्रदेश सरकार

कार्मिक अनुभाग–2

संख्या 6/12/73/का–2–टी0सी0–IV
लखनऊ, 22 जनवरी, 2014

अधिसूचना

प्रकीर्ण

सा0प0नि0–4

संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्ति का प्रयोग करके राज्यपाल, उत्तर प्रदेश सेवाकाल में मृत सरकारी सेवकों के आश्रितों की भर्ती नियमावली, 1974 में संशोधन करने की दृष्टि से निम्नलिखित नियमावली बनाते हैं।

उत्तर प्रदेश सेवाकाल में मृत सरकारी सेवकों के आश्रितों की भर्ती (ग्यारहवाँ संशोधन) नियमावली, 2014

संक्षिप्त नाम और प्रारम्भ

1–(1) यह नियमावली उत्तर प्रदेश सेवाकाल में मृत सरकारी सेवकों के आश्रितों की भर्ती (ग्यारहवाँ संशोधन) नियमावली, 2014 कही जायेगी।

(2) यह तुरन्त प्रवृत्त होगी।

स्तम्भ–1	स्तम्भ–2
विद्यमान नियम	**एतद्द्वारा प्रतिस्थापित नियम**
(तीन) सरकारी सेवक की मृत्यु के दिनांक के पाँच वर्ष के भीतर सेवायोजन के लिए आवेदन करता है :	(तीन) सरकारी सेवक की मृत्यु के दिनांक के पाँच वर्ष के भीतर सेवायोजन के लिए आवेदन करता है :
परन्तु जहाँ राज्य सरकार का यह समाधान हो जाय कि सेवायोजन के लिए आवेदन करने के लिए नियत समय सीमा से किसी विशिष्ट मामले में असम्यक् कठिनाई होती है वहाँ वह अपेक्षाओं को, जिन्हें वह मामले में न्यायसंगत और साम्यपूर्ण रीति से कार्यवाही करने के लिए आवश्यक समझे, अभिमुक्त या शिथिल कर सकती है :	परन्तु जहाँ राज्य सरकार का यह समाधान हो जाय कि सेवायोजन के लिए आवेदन करने के लिए नियत समय सीमा से किसी विशिष्ट मामले में असम्यक् कठिनाई होती है वहाँ वह अपेक्षाओं को जिन्हें वह मामले में न्याय–संगत और साम्यपूर्ण रीति से कार्यवाही करने के लिए आवश्यक समझे, अभिमुक्त या शिथिल कर सकती है :
परन्तु यह और कि उपर्युक्त परन्तुक के प्रयोजन के लिए सम्बन्धित व्यक्ति कारणों को स्पष्ट करेगा और आवेदन करने के लिए नियत समय सीमा के अवसान के पश्चात सेवायोजन के लिए आवेदन करने में विलम्ब के कारण के सम्बन्ध में ऐसे विलम्ब के समर्थन में आवश्यक अभिलेखों/ सबूत सहित लिखित में समुचित औचित्य देगा और सरकार विलम्ब के कारण के लिए सभी तथ्यों पर विचार करते हुए समुचित निर्णय लेगी।	परन्तु यह और कि उपर्युक्त परन्तुक के प्रयोजन के लिए सम्बन्धित व्यक्ति कारणों को स्पष्ट करेगा और आवेदन करने के लिए नियत समय सीमा के अवसान के पश्चात सेवायोजन के लिए आवेदन करने में विलम्ब के कारण के सम्बन्ध में ऐसे विलम्ब के समर्थन में आवश्यक अभिलेखों/ सबूत सहित लिखित में समुचित औचित्य देगा और सरकार विलम्ब के कारण के लिए सभी तथ्यों पर विचार करते हुए समुचित निर्णय लेगी।
(2) जहाँ तक सम्भव हो, ऐसा सेवायोजन उसी विभाग में दिया जाना चाहिए, जिसमें मृत सरकारी सेवक अपनी मृत्यु से पूर्व सेवायोजित था।	(2) जहाँ तक सम्भव हो, ऐसा सेवायोजन उसी विभाग में दिया जाना चाहिए, जिसमें मृत सरकारी सेवक अपनी मृत्यु से पूर्व सेवायोजित था।
(3) उपनियम (1) के अधीन की गयी प्रत्येक नियुक्ति, इस शर्त के अधीन होगी कि उपनियम (1) के अधीन नियुक्त व्यक्ति, मृतक सरकारी सेवक के परिवार के अन्य सदस्यों का अनुरक्षण करेगा जो कि स्वयं का अनुरक्षण करने में असमर्थ है और उक्त मृत सरकारी सेवक पर उसकी मृत्यु के ठीक पूर्व आश्रित थे।	(3) उपनियम (1) के अधीन की गयी प्रत्येक नियुक्ति, इस शर्त के अधीन होगी कि उपनियम (1) के अधीन नियुक्त व्यक्ति, मृतक सरकारी सेवक के परिवार के अन्य सदस्यों का अनुरक्षण करेगा जो कि स्वयं का अनुरक्षण करने में असमर्थ हैं और उक्त मृत सरकारी सेवक पर उसकी मृत्यु के ठीक पूर्व आश्रित थे।
(4) जहाँ उपनियम (1) के अधीन नियुक्त व्यक्ति, किसी ऐसे व्यक्ति का अनुरक्षण करने में उपेक्षा या इनकार करता है जिसके प्रति अनुरक्षण के लिए वह उपनियम (3) के अधीन उत्तरदायी है तो उसकी सेवायें, समय–समय पर यथा	(4) जहाँ उपनियम (1) के अधीन नियुक्त व्यक्ति, किसी ऐसे व्यक्ति का अनुरक्षण करने में उपेक्षा या इनकार करता है जिसके प्रति अनुरक्षण के लिए वह उपनियम (3) के अधीन उत्तरदायी है तो

स्तम्भ–1	स्तम्भ–2
विद्यमान नियम	**एतद्द्वारा प्रतिस्थापित नियम**
संशोधित उत्तर प्रदेश सरकारी सेवक (अनुशासन एवं अपील) नियमावली, 1999 के अनुसरण में समाप्त की जा सकती हैं।	उसकी सेवायें, समय–समय पर यथा संशोधित उत्तर प्रदेश सरकारी सेवक (अनुशासन एवं अपील) नियमावली, 1999 के अनुसरण में समाप्त की जा सकती हैं।

आज्ञा से,
राजीव कुमार,
प्रमुख सचिव।

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 6/XII/73/Ka-2-T.C-IV, dated January 22, 2014:

No.6/XII/73/Ka-2-T.C-IV

Dated Lucknow January 22, 2014

IN exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor is pleased to make the following rules with a view to amending The Uttar Pradesh Recruitment of Dependants of Government Servants Dying in Harness Rules, 1974 :

THE UTTAR PRADESH RECRUITMENT OF DEPENDANTS OF GOVERNMENT SERVANTS DYING IN HARNESS (ELEVENTH AMENDMENT) RULES, 2014

Short title and commencement

1.(1) These rules may be called The Uttar Pradesh Recruitment of Dependants of Government Servants Dying in Harness (Eleventh Amendment) Rules, 2014.

(2) They shall come into force at once.

Substitution of rule 5

2. In the Uttar Pradesh Recruitment of Dependants of Government Servants Dying in Harness Rules, 1974, *for* existing rule 5 set out in Column-1 below, the rule as set out in Column-2 shall be *substituted*, namely:-

COLUMN-1	COLUMN-2
Existing rule	*Rule as hereby substituted*
5.(1) Recruitment of a member of the family of the deceased–In case a Government servant dies in harness after the commencement of these rules, and the spouse of the deceased Government servant is not already employed under the Central Government or a State Government or a Corporation owned or controlled by the Central Government or a State Government, one member of his family who is not already employed under the Central Government or a State Government or a Corporation owned or controlled by the Central Government or a State Government shall, on making an	**5.(1) Recruitment of a member of the family of the deceased**– In case a Government servant dies in harness after the commencement of these rules, and the spouse of the deceased Government servant is not already employed under the Central Government or a State Government or a Corporation owned or controlled by the Central Government or a State Government, one member of his family who is not already employed under the Central Government or a State Government or a Corporation owned or controlled by the Central Government or a State Government shall, on making an

COLUMN-1	COLUMN-2
Existing rule	*Rule as hereby substituted*
application for the purpose, be given a suitable employment in Government Service on a post except the post which is within the purview of the Uttar Pradesh Public Service Commission, in relaxation of the normal recruitment rules if such person-	application for the purpose, be given a suitable employment in Government Service on a post except the post which is within the purview of the Uttar Pradesh Public Service Commission, in relaxation of the normal recruitment rules if such person-
(i) fulfils the educational qualifications prescribed for the post:	(i) fulfils the educational qualifications prescribed for the post:
Provided that in case appointment is to be made on a post for which typewriting has been prescribed as an essential qualification and the dependent of the deceased Government servant does not possess the required proficiency in typewriting, he shall be appointed subject to the condition that he would acquire the requisite speed of 25 words per minute in typewriting well within one year and if he fails to do so, his general annual increment shall be withheld and a further period of one year shall be granted to him to acquire the requisite speed in typewriting and if in the extended period also he again fails to acquire the requisite speed in typewriting, his services shall be dispensed with.	Provided that in case appointment is to be made on a post for which typewriting has been prescribed as an essential qualification and the dependent of the deceased Government servant does not possess the required proficiency in typewriting, he shall be appointed subject to the condition that he would acquire the requisite speed of 25 words per minute in typewriting well within one year and if he fails to do so, his general annual increment shall be withheld and a further period of one year shall be granted to him to acquire the requisite speed in typewriting and if in the extended period also he again fails to acquire the requisite speed in typewriting, his services shall be dispensed with.
	Provided further that in case appointment is to be made on a post for which the knowledge of computer operation and typewriting has been prescribed as an essential qualification and the dependent of the deceased Government servant does not possess the required proficiency in computer operation and typewriting, he shall be appointed subject to the condition that he would acquire the 'CCC' certificate in computer operation awarded by the DOEACC Society or a certificate equivalent thereto from an Institution recognised by the Government together with the required speed of 25 words per minute in typewriting well within one year and, if he fails to do so, his general annual increment shall be withheld and a further period of one year shall be granted to him to acquire the required certificate in computer operation and the required speed in typewriting and if in the extended period also he again fails to acquire the required certificate in computer operation and the required speed in typewriting, his services shall be dispensed with.

COLUMN-1 *Existing rule*	COLUMN-2 *Rule as hereby substituted*
(ii) is otherwise qualified for Government service, and	(ii) is otherwise qualified for Government service, and
(iii) makes the application for employment within five years from the date of the death of the Government servant:	(iii) makes the application for employment within five years from the date of the death of the Government servant:
Provided that where the State Government is satisfied that the time limit fixed for making the application for employment causes undue hardship in any particular case, it may dispense with or relax the requirement as it may consider necessary for dealing with the case in a just and equitable manner:	Provided that where the State Government is satisfied that the time limit fixed for making the application for employment causes undue hardship in any particular case, it may dispense with or relax the requirement as it may consider necessary for dealing with the case in a just and equitable manner:
Provided further that for the purpose of the aforesaid proviso, the person concerned shall explain the reasons and give proper justification in writing regarding the delay caused in making the application for employment after the expiry of the time limit fixed for making the application for employment along with the necessary documents/ proof in support of such delay and the Government shall, after taking into consideration all the facts leading to such delay, take the appropriate decision.	Provided further that for the purpose of the aforesaid proviso, the person concerned shall explain the reasons and give proper justification in writing regarding the delay caused in making the application for employment after the expiry of the time limit fixed for making the application for employment along with the necessary documents/ proof in support of such delay and the Government shall, after taking into consideration all the facts leading to such delay, take the appropriate decision.
(2) As far as possible, such an employment should be given in the same department in which the deceased Government servant was employed prior to his death.	(2) As far as possible, such an employment should be given in the same department in which the deceased Government servant was employed prior to his death.
(3) Every appointment made under sub-rule (1) shall be subject to the condition that the person appointed under sub-rule (1) shall maintain other members of the family of deceased Government servant, who were dependent on the deceased Government servant immediately before his death and are unable to maintain themselves.	(3) Every appointment made under sub-rule (1) shall be subject to the condition that the person appointed under sub-rule (1) shall maintain other members of the family of deceased Government servant, who were dependent on the deceased Government servant immediately before his death and are unable to maintain themselves.
(4) Where the person appointed under sub-rule (1) neglects or refuses to maintain a person to whom he is liable to maintain under sub-rule (3), his services may be terminated in accordance with the Uttar Pradesh Government Servant (Discipline and Appeal) Rules, 1999, as amended from time to time.	(4) Where the person appointed under sub-rule (1) neglects or refuses to maintain a person to whom he is liable to maintain under sub-rule (3), his services may be terminated in accordance with the Uttar Pradesh Government Servant (Discipline and Appeal) Rules, 1999, as amended from time to time.

By order,
RAJIV KUMAR,
Pramukh Sachiv.

पी0एस0यू0पी0-ए0पी0 731 राजपत्र-(हिन्दी)-2014-(1574)-597 प्रतियां-(कम्प्यूटर/टी/आफसेट)।
पी0एस0यू0पी0-ए0पी0 16 सा0 नियुक्ति-2014-(1575)-2000 प्रतियां-(कम्प्यूटर/टी/आफसेट)।